

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46851 of 2017

Arising Out of PS.Case No. -235 Year- 2017 Thana -DANAPUR District- PATNA

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1. Shyam Sunder Singh, Son of Krishna Nand Singh, resident of Yarpur, Police Station- Gardanibagh, District- Patna.
2. Santosh Kumar, Son of Madhu Sudan Singh, Resident of Malti Sadan, Indrapuri Road NO. 12, Police Station- Ratu Road, District- Ranchi (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Danapur P.S. Case No. 235 of 2017 instituted for the offence under Sections-406, 420, 504, 506/34 of the Indian Penal Code.

As per written report, the informant entered into an agreement with Praveen Kumar, son of the petitioner in the month of December, 2011 for Flat No. 203 Block A in Bidyanand Maheshwari Complex. The informant continuously met with co-accused Praveen Kumar but he refused to hand over the possession of Flat and he demanded some amount of loan. The informant gave about Rs. 17,98,000/- to co-accused Praveen Kumar through cash and cheque and it was decided that he would register the Flat within six months. It is further alleged that the informant went to live in his Flat No. 203, then



he found that one Ranjeet Singh was living there. When the informant protested, then co-accused Praveen Kumar told the informant that Flat No. 401 (Block-A) was his flat and the same was vacant and the same would be given to the informant. Thereafter, the informant and his family members started living there. The informant asked co-accused Santosh Kumar Thakur (Site Engineer) as to why the lift was closed, then he used filthy language with the informant.

On 25-04-2017, petitioners came at the flat of the informant and told the informant that if, he would take any legal action, he would be killed.

In this manner, there is general and omnibus allegation against the petitioners to give threat to the informant. There is specific allegation against co-accused Praveen Kumar.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Danapur P.S. Case No. 235 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be



present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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